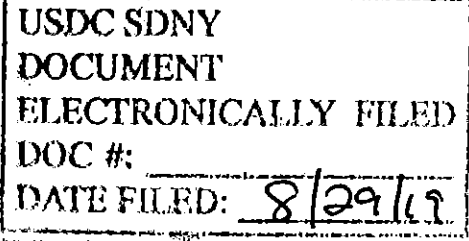


Approved: _____

Lindsey Keenan
Assistant United States Attorney

Before: THE HONORABLE PAUL E. DAVISON
United States Magistrate Judge
Southern District of New York



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: COMPLAINT
UNITED STATES OF AMERICA :
: Violations of
- v. - : 18 U.S.C. §§ 1349,
: 1028A, and 2
ELIZABETH BUCKLEY, :
: COUNTY OF OFFENSE:
: WESTCHESTER
Defendant. : 19m8113
: X

SOUTHERN DISTRICT OF NEW YORK, ss.:

KEVIN GONYO, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI") and charges as follows:

COUNT ONE

(Conspiracy to Commit Bank Fraud)

The Scheme To Defraud

1. From at least in or about March 2019 up to and including at least in or about June 2019, in the Southern District of New York and elsewhere, ELZABETH BUCKLEY, the defendant, and others known and unknown, participated in a fraudulent scheme whereby they stole means of identification from various individuals and used the stolen means of identification to make fraudulent bank and credit card transactions at various financial institutions, including banks in Westchester County, New York.

Statutory Allegation

2. From at least in or about March 2019 up to and including at least in or about June 2019, in the Southern District of New York and elsewhere, ELIZABETH BUCKLEY, the

defendant, and others known and unknown, willfully and knowingly, did combine, conspire, confederate, and agree together and with each other to commit bank fraud, in violation of Title 18, United States Code, Section 1344.

3. It was a part and object of the conspiracy that ELIZABETH BUCKLEY, the defendant, and others known and unknown, willfully and knowingly, would and did execute and attempt to execute a scheme and artifice to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of a financial institution, by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344(2).

(Title 18, United States Code, Section 1349.)

COUNT TWO

(Aggravated Identity Theft)

4. From at least in or about March 2019 up to and including at least in or about June 2019, in the Southern District of New York and elsewhere, ELIZABETH BUCKLEY, the defendant, knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), to wit, during and in relation to the bank fraud conspiracy charged in Count One of this Complaint, BUCKLEY used the means of identification of another person, including the person's name, without the person's consent, to obtain funds from that person's bank account.

(Title 18, United States Code, Sections 1028A(a)(1),
1028A(b) and 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

5. I am a Special Agent with the FBI. I have been personally involved in the investigation of this matter, and I base this affidavit on that experience, my conversations with other law enforcement officials, and my examination of various reports and records. Because this affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all of the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are

reported herein, they are reported in substance and in part, except where otherwise indicated.

Account-1

6. Based on my review of a report from the Farmington, Connecticut Police Department, I have learned that on or about March 21, 2019, a victim ("Victim-1") reported that her purse, including her credit cards, driver's license, and social security card, were stolen from her car.

7. Based upon my review of documents from TD Bank, I have learned the following:

a. On or about March 23, 2019, an individual opened a checking account ("Account-1") at the TD Bank branch on Mamaroneck Avenue in White Plains, New York.

b. As a means of identification to open Account-1, the individual provided a bank employee Victim-1's driver's license and social security card.

c. TD Bank issued a debit card in Victim-1's name, which allowed access to the funds in Account-1.

d. On or about March 25, 2019, the debit card associated with Account-1 was used to pay for a hotel room at the Courtyard Marriott, in Tarrytown, New York.

e. On or about March 25, 2019, cash deposits were made into Account-1 at automatic teller machines in White Plains, Elmsford, and Yonkers, New York.

f. On or about March 30, 2019, the debit card associated with Account-1 was used to pay for a rental car at the Westchester airport in Harrison, New York.

8. Based on my conversations with Victim-1, I have learned that Victim-1 was unaware that Account-1 existed until a debt collection agency contacted her about the account in or about July 2019, at which time Account-1 had a negative balance.

9. On or about August 19, 2019, I spoke to Victim-1, who told me, in substance and in part, the following: she did not authorize anyone to open Account-1 on her behalf; the debit card associated with Account-1 was fraudulently obtained; and all activity on Account-1 was fraudulent.

Account-2

10. Based on my review of a report from the Norwalk, Connecticut Police Department, I have learned that on or about May 10, 2019, a victim ("Victim-2") reported that her purse, which contained her driver's license, credit cards, and various receipts, was stolen from her car.

11. Based on my review of documents from TD Bank, I have learned the following:

a. On or about June 27, 2019, at a TD Bank branch in Stamford, Connecticut, an individual used a withdrawal slip to withdraw \$2,600 from a bank account ("Account-2") in Victim-2's name. To effect the withdrawal, the individual provided a bank teller Victim-2's driver's license.

b. On or about June 27, 2019, at a TD Bank branch in Darien, Connecticut, an individual used a withdrawal slip to withdraw \$1,300 from Account-2. To effect the withdrawal, the individual provided a bank teller Victim-2's driver's license.

c. On or about June 28, 2019, at a TD Bank branch in Norwalk, Connecticut, an individual used a withdrawal slip to withdraw \$3,500 from Account-2. To effect the withdrawal, the individual provided a bank teller Victim-2's driver's license.

d. On or about June 28, 2019, at a TD Bank branch in Bridgeport, Connecticut, an individual used a withdrawal slip to withdraw \$3,200 from Account-2. To effect the withdrawal, the individual provided a bank teller Victim-2's driver's license.

e. On or about June 28, 2019, at a TD Bank branch in West Haven, Connecticut, an individual used a withdrawal slip in an attempt to withdraw \$3,200 from Account-2. The individual left the bank drive through lane during the course of the transaction, leaving behind the completed withdrawal slip and Victim-2's driver's license.

12. Based on my conversations with Victim-2, I have learned that Account-2 belongs to Victim-2. Victim-2 stated, in substance and in part, that she did not authorize the cash withdrawals referenced in Paragraph 10 above, and she identified each of the withdrawals, which total approximately \$10,600, as fraudulent.

13. I am familiar with the appearance of ELIZABETH BUCKLEY, the defendant, based on my personal interaction with her over the course of interviews conducted on June 29, 2019, July 25, 2019, and August 20, 2019.

14. I have reviewed surveillance footage provided by TD Bank, and I have compared the appearance of the individual who opened Account-1 on or about March 23, 2019, with the appearance of ELIZABETH BUCKLEY, the defendant, and I am confident they are the same person.

15. I have reviewed surveillance footage provided by TD Bank, and I have compared the appearance of the individual who conducted the cash withdrawal from Account-2 in Norwalk, Connecticut, on June 28, 2019, with the appearance of ELIZABETH BUCKLEY, the defendant, and I am confident they are the same person.

16. On or about June 29, 2019, ELIZABETH BUCKLEY, the defendant was arrested for violations of New York Penal Law §§ 165.45[2], 165.40, 145.00[1], and 155.30[4]. I participated in the arrest. BUCKLEY waived *Miranda*, and stated the following, in substance and in part:

a. Beginning in or about March 2019, BUCKLEY traveled to the New York area from Florida with other individuals to participate in a check cashing fraud.

b. BUCKLEY and her co-conspirators broke into vehicles parked at gyms and other businesses and stole purses from the vehicles.

c. BUCKLEY and her co-conspirators used the identification, checks, and credit cards found in the stolen purses to make fraudulent transactions at banks and retailers.

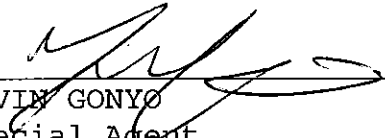
17. On or about June 29, 2019, ELIZABETH BUCKLEY, the defendant, consented to a search of her car, which contained identification and credit cards for at least six individuals, including four of Victim-2's debit cards.

18. On or about June 29, 2019, ELIZABETH BUCKLEY, the defendant, provided consent for a search of her cellphone. BUCKLEY's Google location data reflected her presence at the TD Bank branches in Stamford and Darien, Connecticut on June 27, 2019, and Norwalk, Bridgeport, and West Haven Connecticut on

June 28, 2019, the dates of the fraudulent withdrawals described in Paragraph 10 above.

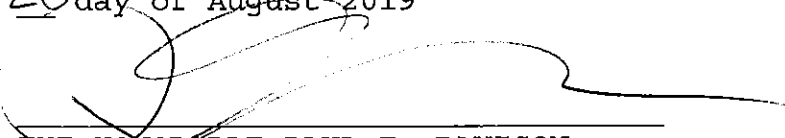
19. Based on my training, experience, and review of open source material, I have learned that TD Bank was insured by the Federal Deposit Insurance Corporation from at least on or about June 27, 2019 through at least on or about June 28, 2019.

WHEREFORE, the deponent respectfully requests that a warrant be issued for the arrest of the defendant, and that she be arrested, and imprisoned or bailed, as the case may be.



KEVIN GONYO
Special Agent
Federal Bureau of Investigation

Sworn to before me this
28 day of August 2019



THE HONORABLE PAUL E. DAVISON
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK